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नई दिल्ली, जुलाई 23—जुलाई 29, 2023, शनिवार/ श्रावण 1—श्रावण 7, 1945

No. 9]

NEW DELHI, JULY 23—JULY 29, 2023, SATURDAY/SHRAVANA 1—SHRAVANA 7, 1945

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)

PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्यक्षेत्र प्रशासनों को छोड़कर) द्वारा जारी किए गए साधारण आदेश और अधिसूचनाएं
Orders and Notifications issued by the Central Authorities (Other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

अधिसूचना

नई दिल्ली, 23 जून, 2023

आ.अ. 129.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में भारत निर्वाचन आयोग एतद्वारा, वर्ष 2019 की निर्वाचन याचिका सं. 10 में बंबई उच्च न्यायालय के निर्णय/आदेश दिनांक 26/04/2023 को प्रकाशित करता है।

[फा. सं. 82/एमएच-एचपी/10/2019]

आदेश से,

सुमन कुमार दास, सचिव

ELECTION COMMISSION OF INDIA**NOTIFICATION**

New Delhi, the 23rd June, 2023

O.N. 129.— In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951) the Election Commission of India hereby publishes the judgment/order dated 26/04/2023 of the High Court of Judicature at Bombay in Election Petition No. 10 of 2019.

[F. No. 82/MH-HP/10/2019]

By Order,

SUMAN KUMAR DAS, Secy.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY ORDINARY ORIGINAL CIVIL JURISDICTION**ELECTION PETITION No. 10 OF 2019****WITH****APPLICATION (L) NO. 4 OF 2020****IN****ELECTION PETITION NO. 10 OF 2019**

Anil Narayan Jadhav

...Petitioner

Versus

The Election Commissioner of India & Ors.

...Respondents

Dr. Sandeep Rankhambe a/w Anita Sonawane-Sachdev for the Petitioner.

Mr. Kedar Dighe, AGP for the State.

Ms Yashashree Munde i/b. Parinam Law Associates for the Respondent No. 3.

Ms Drishti Shah i/b. Rekha Rajagopal for Respondent No. 1.

CORAM: B. P. COLABAWALLA, J

DATE: APRIL 26, 2023

P.C.

1. In the above Petition, the Petitioner challenges the election of Respondent No. 3 to be null and void for the reasons stated in the above Election Petition. It now transpires that Respondent No. 3 has passed away on 29th March, 2023.

2. In these circumstances, I find that the reliefs claimed in the above Election Petition are rendered infructuous and the same is disposed of accordingly.

3. In view of the disposal of the election petition, nothing survives in the above AEP (L) No. 4 of 2020 and the same is also accordingly disposed of.

4. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[B. P. COLABAWALLA, J.]

अधिसूचना

नई दिल्ली, 23 जून, 2023

आ.अ. 130.— लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में भारत निर्वाचन आयोग एतद्वारा, वर्ष 2019 की निर्वाचन याचिका सं. 14 में बंबई उच्च न्यायालय के निर्णय/आदेश दिनांक 24/04/2023 को प्रकाशित करता है।

[फा. सं. 82/एमएच-एचपी/14/2019]

आदेश से,

सुमन कुमार दास, सचिव

NOTIFICATION

New Delhi, the 23rd June, 2023

O.N. 130.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951) the Election Commission of India hereby publishes the judgment/order dated 24/04/2023 of the High Court of Judicature at Bombay in Election Petition No. 14 of 2019.

[F. No. 82/MH-HP/14/2019]

By Order,

SUMAN KUMAR DAS, Secy.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY ORDINARY ORIGINAL CIVIL JURISDICTION**ELECTION PETITION NO.14 OF 2019**

Niharika Prakashchandra Khondaly

... Petitioner

V/s.

The Election Commission of India

& Ors.

... Respondents

WITH**MISCELLANEOUS APPLICATION (L) NO.4 OF 2019****IN****ELECTION PETITION NO.14 OF 2019**

Manoj Kotak

... Applicant

V/s.

Niharika Prakashchandra Khondaly

& Ors.

... Respondents

None for the petitioner.

Ms. Drishti Shah for respondent nos.1 and 2.

Mr. Anish Khandekar for respondent no.3.

CORAM: AMIT BORKAR, J.**DATED: APRIL 24, 2023****P.C.:**

1. On the last occasion, this Court passed following order:

“1. Perusal of earlier orders indicate that the petitioner has consistently remained absent. This Court by order dated 7th February 2020 notified that the petitioner intends to withdraw the election petition. Thereafter, on 28th February 2020, none appeared for petitioner and, therefore, the matter is kept for dismissal.

2. Since the petitioner thereafter has remained absent, stand over to **24th April 2023**. To be shown under the caption **for dismissal**.”

2. Today, none appears for the petitioner. It appears that the petitioner is not interested in prosecuting the election petition.

3. The Apex Court in **P. Nalla Thampy Thera v. B.L. Shankar** reported in AIR 1984 SC 135 has laid down parameters for dismissal of Election Petition. On consideration of the conduct of the petitioner on earlier occasions, it appears that the petitioner is not interested in prosecuting the election petition.

4. The election petition, therefore, stands dismissed for non-prosecution. No costs.

5. In view of dismissal of the election petition, all interim/ interlocutory applications stand disposed of.

AMIT BORKAR, J.